

Dear Senator Kushner, Representative Sanchez and members of the Labor and Public Employees Committees,

My name is Chelsea Connery. I live in New Haven. I am a former public-school educator and current PhD Candidate in Leadership and Education Policy at the University of Connecticut. I am writing in support of SB 1177 An Act Concerning One Fair Wage and in support of HB 6859 An Act Concerning Predictable Scheduling.

I worked in Connecticut's restaurant industry for 7 years as a server and bartender. When I left the restaurant industry, minimum wage was \$9.00 and subminimum wage was \$5.78 for servers and \$7.46 for bartenders. Currently, Connecticut's minimum wage is \$14, but servers and bartenders earn the subminimum wage of \$6.38 per hour as a server. These workers must, in turn, rely on tips to make up the \$7.62 difference. That's a 54% discount for the employers.

When Connecticut's minimum wage goes up to \$15 on June 1, 2023, workers will still earn just \$6.38 and, in turn, will have to *make more* in tips to reach the full minimum wage. Yet, employers will *save more* because they are allowed to pay me less than half the minimum wage.

Tipped work isn't glamorous or lucrative — some tipped workers at high-end restaurants do well, but they are the exception, not the norm. Most of us struggle to make ends meet. Our take home pay is unstable and unpredictable. The amount you make in tips can vary significantly, depending on the days and shifts you're scheduled to work and the time of year. For example, a mid-week lunch shift or even a Monday evening shift will not earn you the equivalent amount of money for the equivalent amount of time of a weekend dinner shift. Then, there is the unpredictability of other social forces. For example, a Monday holiday may motivate would-be customers to leave the state for a long weekend and, consequently, significantly diminish the income you were counting on that weekend. What's worse is a slow shift can mean that the hours you work that shift are cut and/or you might get a call an hour before a shift telling you not to come in.

Indeed, overall, scheduling is a persistent issue in the restaurant industry. I have worked "on-call" shifts, been pressured to work last minute even when I wasn't on-call and showed up to work only to be sent home again. The unpredictable work schedule was stressful. It was difficult to make plans or appointments and I couldn't predict my pay month to month. The worst part was feeling replaceable — that is, I felt I couldn't stand up for myself because they could just fire me and hire someone else. Moreover, I knew from friends and coworkers that most places were the same. I was lucky, however, to work in restaurants that did not have a "late night" scene. So, while there were times, I had a "closing" shift prior to an "opening" shift I still got a decent night's sleep. I have a family member who recently left a job at a restaurant that was open for breakfast, lunch, dinner, and whose bar had a late-night scene. She was regularly scheduled to work closing shifts, getting home around 3:00am, only to have to go back into open at 9:00am. I saw the toll this took on her physical and mental health. It was infuriating to me that employers were allowed to do that.

In these jobs, I had the advantage of not having a family. A slow shift or getting cut from a shift early may have meant I had to cut expenses somewhere — for example, by keeping my apartment colder in the winter or forgoing an evening out with friends. However, many of my colleagues were parents and caregivers and an unpredicted slow or cancelled shift often meant struggling to meet their basic needs. Balancing unstable work schedules and unpredictable income can be hazardous to health. I felt the stress, and I saw the additional strain on my coworkers who were also parents or caregivers. Overall, our economy and public health suffer when workers cannot predict their hours or pay from day-to-day.

Moreover, research indicates that the subminimum wage for tipped workers perpetuates racial and gender inequities, and results in worse economic outcomes for tipped workers. Forcing tipped workers to rely on tips for their wages creates tremendous instability in income flows, making it more difficult to budget or absorb financial shocks.¹

Adding to this stress, tipped workers also experience particularly high rates of sexual harassment. This is in part due to power imbalances intensified by the practice of tipping and workers' financial reliance on those tips. These factors help normalize inappropriate behavior (e.g. women feeling compelled to tolerate inappropriate comments or sexual behaviors) and disproportionately affect the most marginalized working people due to their financial status, racial identity, and immigration status. As a young woman working in a restaurant/bar, I experienced this firsthand. It was exhausting and infuriating. Eliminating the subminimum wage would help ensure that all working people are paid a fair wage, and reduce the sexual harassment currently endured by tipped workers, the majority of whom are women.² Moreover, research has also shown that the practice of tipping is often discriminatory, with white service workers receiving larger tips than black service workers for the same quality of service. Although Black workers represent the majority of the tipped service industry, they are also the ones making the least.³

There are approximately 70,000 tipped workers in Connecticut, 70% of whom are women and 38% of whom are workers of color. Eliminating the subminimum wage will help eradicate systemic racism and gender inequity.

Finally, for those of you who have not worked a restaurant industry job, it is worth explaining that the first hour of a shift and the last hour of a shift are typically dedicated to preparation and clean-up. There is usually a rotating assignment of an "opening" or "closing" server, a role that entails extra preparation and cleaning duties. If it is a slow shift, servers are typically expected to engage in these activities throughout their time working. Servers directed to perform non-service duties that do not generate tips, e.g., cleaning bathrooms, sweeping floors, prepping food, etc., must be paid the full minimum wage for that work. Connecticut Department of Labor regulations require employers to keep accurate records to ensure workers are paid properly. If the employer is ever in doubt about which rate to pay, they are required to pay the full minimum wage. *When employers don't follow the rules and cheat workers it is considered wage theft.* I can say from experience, I did not know these laws when I was working, no one ever explained them to me, and my bosses never adjusted my wage to reflect the type of working I was doing. By eliminating the subminimum wage, this bill will also streamline and expedite wage enforcement, protecting tipped workers from employer wage theft.

Please support tipped workers by eliminating the subminimum wage and supporting predictable scheduling. Thank you.

Sincerely,

Chelsea Connery

¹ <https://www.epi.org/blog/seven-facts-about-tipped-workers-and-the-tipped-minimum-wage/>

² <https://www.georgetownpoverty.org/wp-content/uploads/2019/02/GCPI-ESOI-Sexual-Harassment-FS-20190110-1.pdf>

³ <https://www.cnbc.com/2021/02/05/black-restaurant-workers-received-less-in-tips-than-others-during-pandemic.html>